

REMARKS

Claims 1-16 are pending in the present application. Paragraph 3 of the office action rejects claims 1-16 under 35 USC 103(a) as being unpatentable over the KD Tools "Gearwrench Geared Serpentine Belt Tool" (#3680) in view KD Tools "Ratcheting Combination Wrench" (12 Piece Metric Set).

Applicant respectfully traverses the rejection of claims 1-16 for at least the reason that the KD Tools "Gearwrench Geared Serpentine Belt Tool" (#3680) is not prior art. The KD Tools "Gearwrench Geared Serpentine Belt Tool" brochure (#3680) was not published, nor was the device described therein offered for sale, sold or otherwise disclosed in a printed publication, more than one year prior to the priority date of U.S. Provisional Patent Application No. 60/456,718 filed March 20, 2003, the priority document of the present application. The device disclosed in the brochure was developed by one or more of the present inventors. As such, the #3680 brochure is not prior art, and the KD Tools "Ratcheting Combination Wrench (12 piece metric set)" alone does not make obvious the claimed invention.


Claims 2, 6, 10 and 14 have been amended to clearly point out and distinctly claim the subject matter that Applicants regard as their invention. Claims 3 and 11 have been amended to provide proper antecedent basis for the claim limitations.

CONCLUSION

Applicant submits that the application is in condition for allowance. Favorable action and withdrawal of the present rejections and objections is, therefore, respectfully requested. The Examiner is invited to call the undersigned at his convenience to resolve any remaining issues. Please charge any additional fees or credit any overpayment to Deposit Account No. 50-1196.

Respectfully submitted,

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